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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/496,009	02/01/2000	Raymond W. Ellis	21183-P001US	5583

7590 08/08/2005

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EXAMINER

VAUGHN JR, WILLIAM C

ART UNIT PAPER NUMBER

2143

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/496,009

Applicant(s)

ELLIS ET AL.

Examiner

William C. Vaughn, Jr.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4-6,8-16,18-28 and 30-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-16,18-28 and 30-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Action is in regards to the Response filed under 37 CFR 1.116 and received on 08 July 2005.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08 July 2005 has been entered.
3. The application has been examined. **Claims 1, 2, 4-6, 8-16, 18-28 and 30-46** are pending.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1, 2, 4-6, 8-16, 18-28 and 30-46** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangachari et al. (Rangachari), U.S. Patent No. 6,470,227 in view of Tadokoro et al. (Tadokoro), U.S. Patent No. 6,463,352.

Art Unit: 2143

6. Regarding independent **claims 1, 15 and 27**, (e.g., exemplary independent claim 1), Rangachari discloses the invention substantially as claimed. Rangachari discloses *a tool management method comprising the steps of: receiving a first request from a client system via a network* [see Rangachari, Col. 8, lines 43-46, Col. 9, lines 22-42, Col. 10, lines 45-51] *determining a type of said first request* [see Rangachari, Col. 10, lines 52-64]; *and sending a first message to a tool in response to said first request and said first type, wherein said first message is operable for controlling an action of said tool* [see Rangachari, Col. 6, lines 26-51, Col. 7, lines 20-24 and Col. 8, lines 17-20]. However, Rangachari does not explicitly disclose using a first predetermined field in a portion of said first request.

7. In the same field of endeavor, Tadokoro discloses (e.g., a system for controlling software components for machines in a distributed manner). Tadokoro discloses using a first predetermined field in a portion of said first request (Tadokoro teaches utilizing IP address, port at an IP address), [see Tadokoro, Co. 10, lines 1-25].

8. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Tadokoro's teachings of a system for controlling software components for machines in a distributed manner with the teachings of Rangachari, for the purpose of improving workflow efficiency of a system by better monitoring processes, thereby preventing bottlenecks [see Tadokoro, Col. 2, lines 10-25]. By this rationale **claims 1, 15, and 27** are rejected.

9. Regarding **claims 2, 16 and 28**, Rangachari-Tadokoro discloses further comprising the step of determining an identification of a tool object corresponding to said

Art Unit: 2143

tool using a second predetermined field in said portion of said request [see rejection of claim 1, *supra*]. By this rationale **claims 2, 16 and 28** are rejected.

10. Regarding **claims 4, 18 and 30**, Rangachari-Tadokoro discloses wherein said tools return at least one second message associated with said first action, said method further comprising the step of caching said at least one second message [see Rangachari, Col. 13, lines 50-64 and Tadokoro, Col. 13, lines 12-28]. By this rationale **claims 4, 18 and 30** are rejected.

11. Regarding **claim 5, 19 and 31**, Rangachari-Tadokoro discloses further comprising the steps of: retrieving selected ones of said at least one second message; and generating a response to a second request using said selected ones of said at least one second message (Rangachari teaches that methods are invoked between application objects and servers to perform specific tasks outlined within a message), [see Rangachari, Col. 10, lines 52-64, Figure 1]. By this rationale **claims 5, 19 and 31** are rejected.

12. Regarding **claims 6, 20 and 32**, Rangachari-Tadokoro discloses further comprising the step of sending said response to a client system initiating said first and second requests (Rangachari teaches that the client is notified of the completion of a task along with any attributes that are need), [see Rangachari, Col. 10, lines 64-67, Col. 11, lines 1-3]. By this rationale **claims 6, 20 and 32** are rejected.

13. Regarding **claims 8, 21 and 33**, Rangachari-Tadokoro discloses further comprises the steps of receiving a connection request and opening a connection to a client, said connection being operable for communicating requests and responses to said requests (Tadokoro teaches HTTP requests), [see Tadokoro, Col. 12, lines 43-45]. By this rationale **claims 8, 21 and 33** are rejected.

Art Unit: 2143

14. Regarding **claims 9, 22 and 34**, Rangachari-Tadokoro discloses further comprising the steps of: receiving a second request from said client system via said network [see rejection of claim 1, *supra*], said second request selected from the group consisting of information requests, expand requests and edit requests [see Tadokoro, Figures 10-14], wherein, in response to said information requests, an HTML page is generated using a set of selected data for a tool object corresponding to a managed tool for sending to said client system, as well as in response to said edit requests, an HTML page is generated having a portion operable for user entry of one or more values for modifying a tool object attribute for sending to said client system and in response to said expand request an HTML page is generated using a set of child object names and relations to a parent object identified in said expand request for sending to said client [see Tadokoro, Col. 8, lines 10-37, Col. 9, lines 1-9, Col. 12, lines 21-44]. By this rationale **claims 9, 22 and 34** are rejected.

15. Regarding **claims 10, 23 and 35**, Rangachari-Tadokoro discloses *wherein said first type of said first request denotes an execute request* [see Rangachari, Col. 10, lines 52-64]. By this rationale **claims 10, 23 and 35** are rejected.

16. Regarding **claims 11-13, 24-26 and 36-38**, the limitations of these claims are substantially the same as that of claims 1, 15, 27, and 35 above, and thus are rejected for the same rationale in rejecting those claims. Furthermore, with regards to the limitations of parsing a script: determining if said script source includes a method signature matching a method signature of said tool object method; and if so, executing a corresponding portion of said script [see Tadokoro, col. 12, lines 21-44]. By this rationale **claims 11-13, 24-26 and 36-38** are rejected.

Art Unit: 2143

17. Regarding **claims 14, 45, and 46**, Rangachari-Tadokoro discloses wherein said first request is transferred in accordance with the hypertext transfer protocol (HTTP), and said portion corresponds to a uniform resource locator (URL) [see Tadokoro, Col. 10, lines 1-47]. By this rationale **claims 14, 45, and 46** are rejected.

18. Regarding **claims 39-44** the limitations of this claim are substantially the same as that of claims 9, 22, and 34 and thus is rejected for the same rationale in rejecting claim 9 above. By this rationale **claims 39-44** are rejected.

#### *Response to Arguments*

19. Applicant's arguments filed on 08 July 2005 have been carefully considered but they are not deemed fully persuasive. However, because there exists the likelihood of future presentation of this argument, the Examiner thinks that it is prudent to address applicants' main points of contention. Applicant's arguments include:

- A. Applicant states that claim 1, 15, and 27 recite client-server communication and server-tool communication, and allow a client system to remotely operate a tool.
- B. Applicant argues that Rangachari does not disclose a user interface with respect to direct tool management, and does not disclose remote management of a tool through requests received via a network.
- C. Applicant contends that Rangachari does not teach or suggest a tool server.
- D. Applicant further argues that Tadokoro does not teach or suggest a tool server, such as in the preferred embodiment of the present invention, in which a user running a Web browser can communication over a network to operate a tool.

Art Unit: 2143

20. As to “Point A”, in which applicant argues that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., recite client-server communication and server-tool communication, and allow a client system to remotely operate a tool) are not recited in the rejected claim(s).

Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

21. As to “Point B”, in which applicant argues that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., user interface and remote management of a tool through request received via a network) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). It is the position of the Examiner that the claims do not state what applicant is arguing. The Examiner will at least attempt to show that the references in combination do in fact teach does teach a user interface with respect to direct tool management as well as remote management of a tool through a request [see Rangachari, Col. 6, lines 25-28, Col. 8, lines 16-47, Col. 9, lines 20-42 and Tadokoro, abstract].

22. As to “Point C”, in which applicant argues that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., a tool server) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).



Art Unit: 2143

23. As to "Point D", in which applicant argues that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a tool server, such as in the preferred embodiment of the present invention, in which a user running a Web browser can communication over a network to operate a tool) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, Rangachari-Tadokoro do in fact teach a client browser accessing a web server/cutting machine via monitoring intranet, network, or channel [see Tadokoro, Col. 9, lines 10-35].

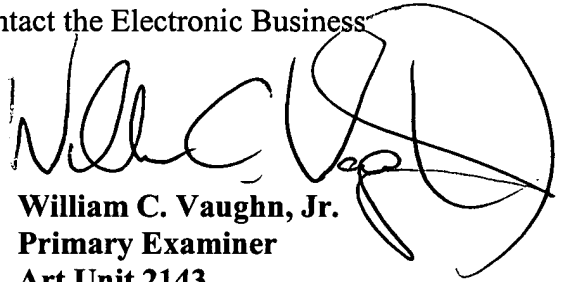
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (571) 272-3922. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2143

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**William C. Vaughn, Jr.**  
**Primary Examiner**  
**Art Unit 2143**  
**04 August 2005**

WCV